## SECTION I. PERSONAL STATUS

### CHAPTER I. THE FAMILY AND THE CLAN

#### 1. Generalities

596 The family sensu stricto (rugo) (1) is more inclusive than in

[196] 1. The rugo is the enclosure in which are the hut, the granaries, and the stables. By extension, this word designates the family in the strict sense of the word. In the plural: ingo.

our countries. It includes the father; his wives and their children, whether married or not; the father's brothers; and their wives and [567] children. Formerly, the slaves taken in war (abanyagano) (2) were

2. Cf. also Marriage, p. 15; Birth and Filiation, p. 29; Government and Administration, Nationality, p. 70; Social Classes, p. 91; Right of War, p. 92.

also part of it.

[566] The Bahutu, serfs of the Batutsi, have their own rugo. The Ruanda family is of the patriarchal type. Filiation counts in the [611] paternal line (3); the child does not necessarily take the name of his

3. The children are nevertheless considered, in a way, as belonging to both father's family and the mother's. The Banyarwanda say: Umuntu akomoka iwabo wase nanyina, that is to say, "the man proceeds from both (families), his father's and his mother's."

596 ●591 father (4); paternal authority is exercised by the father, and the wife

4. This was even rare before European penetration.

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[591] comes and lives with her husband (5). [8]

[575] 5. The polygamous Mututsi does not occupy his own dwelling. He visits in turn each of his wives in their individual dwellings.

597 Adopted children are also part of the family. Thus a child-
596 less man (inchike) can adopt a son of his brother (umuhungu wachu), failing this, a son of his sister (umwishywa), or that of a friend. A
[563] Mututsi cannot adopt a Muhutu child, and vice versa.

As the women cannot inherit, adoption provides a means for a
[428] brother to give his sister the benefit of certain advantages, for it has
[562] the effect of establishing a nephew as heir (kulaga, lit., to promise his property).

The adopted child acts exactly as if he were the son of his adopted father; he pays homage to the chief for him, he orders his affairs, he defends him in court, etc. The daughters call him brother
[586] and if they are divorced they ask him for shelter.

It may also happen that the umwishywa may become at the same time head of his maternal uncle's rugo and chief of the maternal clan (umutware w'umulyango ya nyina).

597 The adopted child may keep the inkazibiti (1) received from
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1. Cf. Property, Ownership of Cattle, p. 41.

his true father, but may no longer share in the division of the latter's inheritance. It may also happen that he receives his share (indemano) (2)

2. Cf. idem, p. 42.

before going to his adopted father; in this case while being a client (umugaragu) (3) of the latter, he remains also, by the indemano, a

3. The patron is called shebuja.

client of his true father.

If the adopted child is disobedient or ungrateful to his adopted father, the latter may curse him and send him away empty-handed.

585 minutely described by the Rev. Father Schumacher (Anthropos, 1910, pp. 870-906) and the Rev. Father Pages (Congo, 1922, Vol. I, pp. 645-63 and Vol. II, pp. 42-68). We merely refer the reader to these articles. This matter concerns folklore rather than common law. Hence we are intentionally leaving it out of our report.

584 If, after having accepted the dowry, the girl's father does not keep his promise and refuses to give his daughter or gives her to another, he must immediately return the dowry. But by that very act, he breaks all bonds of friendship with the young man's parents, and in the future no one of the young man's family will marry a girl of the other family. The same is true if the suitor breaks the engagement.

[26] 6. Domestic Life

591 Marriage in Ruanda is patrilocal, that is to say, the woman leaves her parents to go and live with her husband. If the wedding has taken place in the woman's family, the young couple remain there for some time (gutahira), then go and settle with the husband's family.

585 Among the Batutsi, about two months after the wedding, the wife's parents send their daughter the intwikururano (from gutwikurura, lit., to unveil, to uncover), consisting of beer, sorghum flour, and milk. The purpose of these gifts is to allow the young woman to come out of the retreat imposed on her the day after the wedding and to show herself in public. For his part, the husband's father gives his daughter-in-law a cow called y'itshyali (lit., of the nest). The young couple then leave the dwelling they have occupied provisionally and go and occupy the rugo that has been built for each of them [sic]. A little later they go and spend a night with the wife's parents (gucha mw'ilembo, lit., to cross the threshold, or gusubya amaguru, lit., to return on foot) and also confer gifts on them on this occasion.

614 endangered by his plans for dividing his property, for instance,
627 if he impoverishes several of his sons, the clan often steps in,
428 overrides his decision, and apportions his estate in a way that seems to it more suitable. With the disintegration of the clan and the increased power of the chief, this power passes to him, and he has the final word.

614 The rights of the individual are always sacrificed to the
423 interests of the clan. In Bugoye I even heard that all the clan property is re-apportioned if the fields have become concentrated in the hands of a minority. This re-apportioning, I was told, is called kutshura hasi.

614 At present, under increased taxation and the Batutsi supremacy,
651 it is said that sometimes clan members who cannot pay their taxes are driven out and even replaced by outsiders. The latter then participate in the tax payments which are made in common. Such instances are possible, of course, only when clan organiza-tion disintegrates.

614 The clan also protects its women. If there are daughters in a household who have no guardian after the death of their father, they are taken into their brother's house as paternal aunts.

614 The protection of female clan members does not extend to
●591 their husbands, however. If husbands settle with their wife's clan without being adopted, they are not regarded as equals. This
768 happens primarily when a widow and her children remain with members of the husband's clan and she takes a man into the house. The latter can simply be driven out after the woman's death.

671 In Bahutu Ruanda, society does not protect the weak. The
614 [235] individual who is on his own, not protected by any group,
178 is without legal rights and can be oppressed and even slain by anyone. Such attacks are not punished here. In the oppression of the defenseless, they see nothing anti-social since actually it achieves better organization. This is the principal means by which the unyielding masses are united into well-organized groups. Here we cannot fail to recognize the connection between the development of the clan system and the absence of general legal norms. That is why the disintegration of clan organization caused by the Batutsi is accompanied by the establishment of universal norms, despite all the despotism that accompanies conquest. Now the individual

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61 178 642 121 degrees of control exerted by that central authority on the territory. These processes have necessarily had an impact on the autonomy and social significance of Hutu and Tutsi kinship groups, on their connexion with a particular tract of land, and on their functions. We shall not be concerned here with any reconstruction of these processes but only with them as they existed in the immediate pre-European days. It should be borne in mind, however, that this was the period of an evolution. This explains the sometimes confused picture given by some informants.

(*a*) *Inzu, ubwoko, umulyango*

613 Hutu and Tutsi recognized a patrilineal kin group (*inzu*)[3] which included all who could actually trace their agnatic relationship through usually no more than four or five ascendent genealogical links to an ancestor recognized as the original ancestor of the group.

Members of the inzu of a male Ego were: Br, Si, Fa, FaSi, FaBr, FaBrSo, FaBrDa, FaFa, FaFaBr, FaFaSi, FaFaBrSo, FaFaBrDa, FaFaBrSoSo, FaFaBrSoDa.[4]

Ego's sororal nephews and nieces (SiSo, SiDa) and his paternal cross-cousins (FaSiSo and FaSiDa) did not belong to his *inzu*. However they participated in some of its activities if they lived with their maternal uncle (Ego), which happened when the bride-wealth for their mother (Ego's Si) had not been entirely paid. [591]

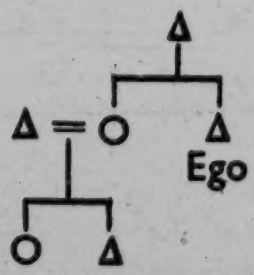


Diagram A.

Other generations above Ego's (that of FaFaFa, &c.) or under his (that of SoSoSo, &c.), were not necessarily included in Ego's

[3] *Inzu* means also hut.
[4] I follow the symbolisation system used by Murdock, 1949.

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Firstly, all these ceremonies did not take place when the bride had already been married before or when the girl had been struck by lightning because, as I was told, she was considered to have been raped by the king (thunder being one of the symbols of the king). Secondly, the spreading of the herbs and milk mixture had to be done by surprise and the girl had to cry immediately afterwards. Thirdly, in the first intercourse the girl had to struggle and penetration had to be achieved by force.

For about ten or twelve days the young couple lived semi-secluded in a hut in the groom's father's homestead. Then, at the end of that period, there was another ritual celebration (*gutwikurura*) attended by those who were present at the marriage. The central rite of the ceremony was a dance by the new couple in public. After that, the young wife was allowed to cook for her husband for the first time. The latter was given by his father his share of inheritance, and the couple settled in a compound of their own. Residence was occasionally neolocal but usually patrivirilocal (at the HuFa's).

*(d) Polygynous unions*

Ruanda may be said to be a polygynous society in two senses. Firstly, polygynous unions were culturally preferred. Secondly, probably thirty per cent. of the unions were polygynous.[7] It was no grand scale polygyny. A man rarely had more than four wives. Usually a polygynous Tutsi had two wives, a Hutu three or four, and a Twa two.

Supplementary wives were an economic asset for rich people, as a Tutsi having herds of cattle in different places found it very useful to be able to put a wife in each of his homesteads as manager; but if he had only such cattle as he could care for himself, a second wife was an expense. It was the same for a Hutu: if he had so many plots that he could not cultivate them all by himself and with the help of his wife, a second one was very useful. If not, she was rather expensive.

To have several wives was also to have many children, which were very highly valued by all Ruanda. For Tutsi occupying very high positions, plural union was a means of establishing useful

[7] 'Any society in which plural unions, however strongly favoured, actually occur in less than this percentage [set arbitrarily at 20 per cent.] of all marriages, is considered monogamous with respect to the family [. . .]' (Murdock, 1949, p. 28).

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sons as his heritor. The mother chooses one of her daughters as her heritor, to whom she will leave her clothing, her baskets and her pot of perfumed butter. Daughters inherit nothing from their father. Sooner or later, they leave his property to go to live with their husbands. Nevertheless, when a woman says, "my home", she is referring to her father's kraal. All her life she is, like her brothers, under her father's authority. After marriage she must also obey her husband, but her father will always have the greater authority over her. She herself is the superior of her younger sisters, of her children, and if there are any, of the inferiors, servants and serfs of her husband.

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The inferiority of women as women is only a special case of the general form of inferiority in Rundi society. However, both men and women have multiple roles in society. As a result, the superiority and inferiority of an individual are relative, rather than absolute, except for the *mwami* at the top of the hierarchy and the poor little Twakazi at the bottom. It has already been indicated that a social superior is sometimes inferior in the hierarchy of politics and economics. Also, the eldest brother may be the inferior of the youngest, in the likely event that the latter is chosen as the father's heritor. A [564] Tutsikazi, the social inferior of her father and husband (provided the latter is not a Hutu), is nevertheless the superior of all the Hutu and Twa, of her children and those Tutsi who are the inferiors of her husband. Each Rundi must learn his place in relation to that of every other, calculate the distance and direction of the relationship, and find his way as well as he can through the social labyrinth.

554 557 578 [183] [595]

Despite the striking simplicity of its structure, the social hierarchy of Burundi allows for mobility and for some very complex variations in conduct. There is incontestable evidence of both constant efforts of men and women to improve their positions in society and of the associated phenomena of social instability and of fierce competition among the inferiors of a given superior. One may risk the generalization that the norms and rules dictated by the social structure will not survive a conflict with the values of wealth and power. One may say also that the greater the wealth and power of the superior, the more acute the rivalry and the more bitter the struggles among his inferiors. Thus, quarrels among Hutu, who are usually very poor, are rarely more than noisy spats quickly forgotten, while the silent hatreds of the Tutsi, born of the desire to own cows, sometimes explode in murder and fratricide. Quarrels among sisters, who inherit nothing of value, are rarely as bitter or prolonged as quarrels among brothers. On the other hand,

593 784 daughter is the necessity to prevent incest. The taboo is strong enough to serve as the basis of the oath in court. A man "swears on his daughter", by saying, "If a lie, may I do that act with my daughter, the one named such-and-such".

581 Despite the physical and social distance between father and daughter, they are jointly interested in the earliest possible marriage for her. She is impatient for the pleasures and privileges of the married woman. He is looking forward to the dowry, which he keeps entirely for himself. It is possible that a mother will do her best to put off the marriage. She does not stand to profit from it at all. On the contrary, the departure of her daughter diminishes the available labour supply for work in the home and in the fields.

582 [357] Young people brought up in the homes of the great must wait a long time before their master or mistress will allow them to leave to be married. The *inchoreke*, young women of good family who are the personal servants of princes and princesses, are often 25 years old before they are married. The *abakamyi*, young men of good family who milk for the great families, are sometimes 35 or 40 at marriage. Among the commoners, the children of the wealthy are [565] able to marry early, the girls at 15 or 16 and the boys at 18. Poor people envy them and have to wait five to ten years longer before they can be married.

584 A girl's father waits for a visit from a man who is looking for a wife for his son. Sometimes, a boy may ask his father to dower a young girl to whom he has taken a fancy. However, it is the two fathers who decide everything. Neither the girl nor the boy need be formally advised of their father's decisions. Nevertheless, a father will probably tell his son and a mother will tell her daughter. [564] If not, a girl among the Tutsi of western Burundi will guess that she is engaged from the arrival of the prescribed number of pots of beer from the family asking for her and from the gifts of beer and food sent by relatives for the celebration. She will guess the approach of the wedding day most easily from the construction of the [591] *indaro*, a temporary dwelling, in her father's yard, where she will 342 live with her husband for the first year of the marriage. (On the wedding day, the girl's father must absent himself from his house.)

591 If the new husband and wife are satisfied with each other and if they have a child, they will leave to take up permanent residence on the property the young husband has received from his father.

585 [184] The Tutsi in the east of Burundi and the Hutu marry at the home of the groom's father. It is then the young man who deduces from the activities in the household that he will soon be married. The intended bride should properly be told who her intended bride-

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593 her husband and to have a good life with him only if she is liked
776 by *Imana*.

564 The dowry represents wealth for the father. The average Tutsi
583 expects to receive a cow for his daughter, an average Hutu eight hoes. However, today the Hutu often and the Tutsi sometimes pay
[556] the dowry in cash. For the husband, the dowry purchases the
[178] children produced by the woman during the term of their marriage. For the young woman, the dowry is a measure of her social value. She has discussed with other girls how much a man will have to give for her. Young Tutsikazi flatter each other by saying that they are certainly worth four cows—the dowry of a Tutsikazi of a very good patrilineage. A Hutukazi may boast of the 2,500 Congo francs (50 dollars) that were given for her, for everyone knows that 1,500 Congo francs (30 dollars) is the average for a Hutukazi. Or, a poor woman who is slightly mad is overcome by shame, for everyone knows that her father has given her in marriage without demanding a dowry. The more one has given for a young woman,
[554] the higher her social status. The wife of a wealthy man will have
[556] more clothes and less work, more respect and less hardship, than the wife of a poor man.

562 Although a young woman looks forward to marriage to rise
585 above her painfully low status as a female child, she knows very well that what lies before her is a lifetime of work and that she will for a long time be under the authority of others. She is in effect sent from her father's household, where she works for her mother, to her husband's household, where she works for her husband and her mother-in-law. Regarding the sentiments of the husband towards his wife, or of men in general towards women, it is enough
[538] to mention that in the rich oral literature of Burundi, there is not one poem or song of love. At best, among the *amazina*—praise-
[533] poems, most of which praise the king or a generous patron or the man himself as a warrior—there are several which praise a good wife. She is praised for her cleverness, for her indefatigable efforts on behalf of her husband, for the cleanness of the butter she churns, and she may be given the compliment of comparison with a cow. In all truth, a man may sometimes have a great love, or be infatuated
[152] with his wife or his mistress. He does not talk about it very much; he would certainly not talk about it with strangers. At all events, love is not relevant to married life except in the general form it takes as the basis of the exchange of gifts and services between superiors and inferiors.

591 Every married woman of every class and caste works for her
[593] husband. Often a bride goes to live in the same household with her

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mother-in-law or with a sister-in-law, though sometimes she may be alone on a part of her husband's property at some distance from his father's household. The social division of labour assigns to women nearly total responsibility for anything that is related to food, small children and the house. Men are rarely at home. Among the herders, the men are out in the pastures with the cattle. During the dry season, they may have to go for pasture a long way from home and build temporary dwellings for the season. A Hutu farmer works in the fields of his master, and these may be very far from the plot of land granted him for himself and his family.[13] The wives of a polygamist are each in turn necessarily alone. Moreover, men often have to go on trips for their superiors or to look after their own interests. Sometimes a trip lasts only two or three days, sometimes the man is absent from home for several months or for an entire year. We see here the continuing influence of an earlier day of a military, feudal society. Before 1920, every Tutsi was obliged to put in military service at the court of his prince. His wife sent him food, and he visited her at home from time to time, but he had to spend many months in service. Hutu sometimes went to war, but most of them stayed on the property of their feudal masters to work. Even today, young Rundi, both Hutu and Tutsi, leave home to earn money for the dowry and then very soon after marriage leave again to make money for other purposes. They work for their Rundi superiors, or in Uganda, or Tanganyika, or the European cities of Burundi. As administrators, as porters, as cowherds, they travel a great deal. The women are responsible for the household during the frequent and often prolonged absences of the men.

In all other things the inferior of her husband, a Rundikazi is absolute proprietor of the food supply. The land she farms is her husband's. The husband gives her orders to work and decides what will be grown, and the husband inspects the granaries and the pots of butter. However, it is strictly forbidden for men to take so much as a handful of beans, raw or cooked, or a bit of butter without the wife's permission. If one asks what would happen to a man who might steal food from his wife, it is said: that doesn't happen, nobody would drink with that sort of fellow. This rule is taken very seriously. If a man wants food for himself for any reason, he must grow it himself. He may not touch any of the food raised by his wife. It is said that the woman has raised the food even when the farmhands and the serfs of the husband have done the actual work. What is meant is that the household food supply is always under the control of the wife.



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manager is indispensable to a wealthy man, for he has many feudal vassals, serfs, cows and lands. A woman of a powerful and wealthy patrilineage can be of great assistance to her husband in the matter of forming useful political alliances. The wife will probably have considerable influence with her brothers and perhaps also with her father.

The higher the social status of a woman, the higher will be the social status of her husband, and hence the higher the status of the visitors she entertains. In her role as hostess, a clever woman can profit very materially from the visits of her husband's friends and superiors. If she knows she pleases them, she will do them the honour of asking them for cows and other gifts. If her favourite son is ready to take his place in the world, she will look around among the visitors for a likely prospect of whom her son can ask a cow, if it is a family where the traditional values still prevail, or of whom he can ask for a job, if the son has been trained in European schools. In addition, the fair name of a man among his friends depends in no small measure upon the magnificence of the hospitality provided in his home by his wife and upon the gossip that circulates between the visitors and the wife. If a woman is satisfied with her husband, she will see to it that visitors have a good impression of the man. She will find ways to get information to gauge the friendliness of the visitors towards her husband. She will recognize his enemies and know how to defeat them. If she hears from the visitors that there are rumours to the effect that her husband is no longer loyal to his superior, that he does not take care of the cows which his superior has given him, that he will soon be removed from his position and his wealth taken away from him, she will probably seek means to save him, since his downfall will also be hers. However, if the husband is not clever, if he has not been generous, and if the wife sees a way to move to a more favourable position in another marriage, she will risk adding her calumny to the rest. It does not happen often, but when a woman has succeeded in ruining her husband, men talk about it for a long, long time. A mature woman prefers to stay with her husband and then, as a widow, with her favourite son. Among the men with whom she is in contact—her father, her brothers, her husband, her brothers-in-law, her cousins, her sons, and her visitors—an intelligent woman will certainly find a few who are generous and obliging and through whom she can obtain the wealth and power that she desires.

In all this, it is not to be forgotten that a woman is the inferior of her husband and of his distinguished visitors. To get what is wanted, an inferior must know how to please superiors, unfailingly